

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

DONOVYN LEE SMALLWOOD,

Defendant.

: CR. NO. 1:23-CR- 37.

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(Judge Wilson)

FILED
HARRISBURG, PA

FEB 22 2023

INDICTMENT

PER



DEPUTY CLERK

THE GRAND JURY CHARGES:

COUNT 1

18 U.S.C. § 922(a)(6)

(False Statement During Purchase of Firearms)

On or about September 23, 2021, in York County, within the
Middle District of Pennsylvania, the defendant,

DONOVYN LEE SMALLWOOD,

in connection with the acquisition of firearms, specifically a Taurus,
Model G3C 9mm handgun, Serial Number ACE944201, a Taurus,
Model PT111G2A 9mm handgun, Serial Number ACH143729, a
Taurus, Model PT111G2A 9mm handgun, Serial Number ACG084991,
and a SCCY Industries, Model CPX-2 9mm handgun, Serial Number
C204308, from Rural Kings, a licensed dealer of firearms within the

meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Rural Kings, which statement was intended and likely to deceive Rural Kings, as to a fact material to the lawfulness of such sale of the said firearms to the defendant under chapter 44 of Title 18, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearms.

All in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

THE GRAND JURY FINDS PROBABLE CAUSE:

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 922 (a)(6) set forth in Count 1 of this Indictment, the defendant,

DONOVYN LEE SMALLWOOD,

shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in the commission of the offense. The property to be forfeited includes, but is not limited to, the following:

- a. a Taurus, Model G3C 9mm handgun, Serial Number ACE944201; and
- b. a Taurus, Model PT111G2A 9mm handgun, Serial Number ACH143729; and
- c. a Taurus, Model PT111G2A 9mm handgun, Serial Number ACG084991; and
- b. a SCCY Industries, Model CPX-2 9mm handgun, Serial Number C204308.

3. If any of the property described above, from any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c).

A TRUE BILL

GERARD M. KARAM
United States Attorney



DAVID J. MAISCH
Special Assistant U.S. Attorney



FOREPERSON 

2/22/23
Date